

Docket No.: E0196.0100
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Franz Klug et al.

Application No.: 11/405,500

Confirmation No.: 5340

Correct Filing Date: March 20, 2006

Art Unit: 2626

For: METHOD AND DEVICE FOR PROTECTED
TRANSMISSION OF DATA WORDS

Examiner: Not Yet Assigned

PETITION TO CORRECT FILING DATE

Deputy Commissioner for Patent Examination Policy
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition for a corrected filing dated for the above-referenced application. The filing date of this application should be changed from April 18, 2006 to **March 20, 2006**.

This application was filed with the USPTO by Express Mail and met all of the requirements of 37 CFR 1.53 on March 20, 2006. A copy of the postcard¹ stamped by the USPTO with the correct dated of March 20, 2006, along with the Express Mail Receipt (No. EV 989767303), is enclosed. Applicant is therefore entitled to the March 20, 2006 filing date.

¹ This postcard has a PCT Appln. Serial No. 10/572,656 for the reasons explained below.

Applicant believes Applicant understands how this error occurred. Shortly after Applicant filed this application and received a Serial No. 10/572,656, Applicant's representative received a telephone call from Angie Yilmaz of the USPTO PCT Operations Branch informing Applicant's Representative that the application was incorrectly filed as a national stage PCT under 35 USC 371 rather than as an application under 35 USC 111(A). In response, Applicant filed a Petition to Convert a National Application Filed under 35 USC 371 To An Application Filed Under 35 USC 111(A). (A copy of this Petition is enclosed for your reference). This Petition was faxed to Ms. Yilmaz, and was stamped with a USPTO receipt date of April 18, 2006, which happens to be the filing date incorrectly accorded this application. It seems that the filing date of the Petition was incorrectly entered as the filing date of the application. Also, Applicant notes that the Application Serial No. was changed from 10/572,656 to 11/405,500.

In compliance with the USPTO rules, please find enclosed a Petition Fee of \$130.00. Since there is no defect in the application with regard to the requirements for receiving a filing date, Applicant hereby requests a refund of this Petition Fee.

The granting of the Petition is respectfully solicited.

Dated: July 14, 2006

Respectfully submitted,

By Laura C. Brutman

Laura C. Brutman

Registration No.: 38,395

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant

Docket No.: E0196.0100
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Franz Klug et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: METHOD AND DEVICE FOR
PROTECTED TRANSMISSION OF DATA
WORDS

Examiner: Not Yet Assigned

**PETITION TO CONVERT A NATIONAL APPLICATION FILED UNDER 35 USC
371 TO AN APPLICATION FILED UNDER 35 USC 111(A)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application was erroneously filed under 37 U.S.C. § 371 but was meant to be filed under 35 U.S.C. § 111(A) claiming priority to a German application. The correct transmittal documents – Utility Patent Application Transmittal - are hereby attached.

It is asserted that the error in transmitting the filing documents occurred without deceptive intent on the part of the attorney or applicants. It is respectfully requested that we retain the originally filed date of March 20, 2006 as filed using Express Mail No. EV 989767303. This U.S. application was filed within 12 months of the priority date (March 18, 2005) of DE 102 005 012 632.4 as indicated on the attached copy of the Express Mail certificate.

Application No.: Not Yet Assigned

Docket No.: E0196.0100

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Accordingly, grant of the Petition is earnestly solicited.

Dated: April 17, 2006

Respectfully submitted,

By Laura C. Brutman

Laura C. Brutman

Registration No.: 38,395

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 835-1400

Attorney for Applicant

Application No. (if known): Not Yet Assigned

Attorney Docket No.: E0196.0100

10/572656

Atty Docket No.: E0196.0100

Inventor: Franz Klug et al.

7 CFR 1.10

Application No.: Not Yet Assigned Filing Date: Concurrently Herewith
Title: METHOD AND DEVICE FOR PROTECTED TRANSMISSION OF DATA
WORDS

Documents Filed:

Application Data Sheet (2 pages) IDS (Citation) by Applicant (3 cited, 1 attached) (1 page)

Copy of the International application (25 pages) Information Disclosure Statement (5 pages)

Transmittal Letter to the United States Designated-Elected Office (3 pages)

English language translation of the International application (24 pages)

113261 U.S. PTO
10/572656



032006

Certificate of Express mailing

Via: PTO Daily Run

Sender's Initials: IRB/ep3

Date: March 20, 2006

3 Rec'd PCT/PTO 20 MAR 2006

Customer Copy
Label 11-F June 2002



EL 989767303 US

MAIL

UNITED STATES POSTAL SERVICE®

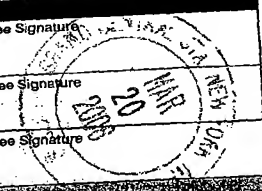
Post Office To Addressee

ORIGIN (POSTAL USE ONLY)

PQ ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>
In	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$
Mo. Day Year	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Time in <input type="checkbox"/> AM <input type="checkbox"/> PM	Int'l Alpha Country Code	COD Fee Insurance Fee
Weight lbs. ozs.	Acceptance Clerk Initials	Total Postage & Fees \$
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

DELIVERY (POSTAL USE ONLY)

Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		



CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

FROM: (PLEASE PRINT)

PHONE

212 835 1400

DICKSTEIN SHAPIRO MORIN
& OSKINSKY
1177 AVENUE OF THE AMERICAS
FL 40
NEW YORK NY 10036-2739

TO: (PLEASE PRINT)

PHONE

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
1450

LE0196.0100

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



Atty Docket No.: E0196.0100

Inventor: Franz Klug et al.

Application No.: N/A

Filing Date: March 20, 2006

Title: METHOD AND DEVICE FOR PROTECTED TRANSMISSION OF DATA
WORDS

Documents Filed:

Petition to Convert a National Application Filed
Under 35 USC 371 to an Application Filed Under
35 USC 111(a)
Utility Patent Application

Information Disclosure Statement

SB/08

Application Data Sheet

Credit Card Payment Form charging \$130.00 for
Petition

English translation of application

Copy of Express Mail Certificate and Postcard
Used in previous filing

Via: Pto daily run

Sender's Initials: LCB3/bb

um.b.



Date: April 17, 2006